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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,855	03/29/2004	Craig A. Webster	PAT-032A1	3442

29129   7590   10/30/2008
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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2194	

NOTIFICATION DATE	DELIVERY MODE
10/30/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 August 2008</u>.

2a)☐ This action is **FINAL.**　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-42</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-42</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-42 are represented for the examination.

2.   The cross reference related to the application cited in the specification must be updated

(i.e. update the relevant status, with PTO serial numbers or patent numbers where appropriated,

on page 1, lines 5-7 of the application filed on 03/29/2004).

3.   The disclosure is objected to because it contains an embedded hyperlink and/or other

form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or

other form of browser-executable code (e.g. see. Page 24, line 15). See MPEP § 608.01.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions
and requirements of this title.

4.   Claims 1-40, 42 are ejected under 35 U.S.C. 101 because they are directed to non-

statutory subject matter.

5.   Claims 1-40 directed to the method claims that would not qualify as a statutory process

would be a claim that recited purely mental steps. Thus, to quality as a 101 statutory process, the

claim should be positively reciting the other statutory class (the thing or product) to which it is

tied, for example by identifying the apparatus that accomplishes the method steps. Appropriate

correction is required to add the computer performs all the steps of the methods.

6.   Claim 42 is rejected under 35 U.S.C 101 because the claimed invention is directed to

apparatus claim, but appearing to be comprised of <u>software alone</u> without claiming associated

<u>computer hardware</u> required for execution . For example, the body of claim recites a device,

software component, a sever , component appear to be   software components . Software alone is

directed to a non-statutory subject matter.

Double Patenting

7.   The nonstatutory double patenting rejection is based on a judicially created doctrine
grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or
improper timewise extension of the "right to exclude" granted by a patent and to prevent possible
harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed.
Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686
F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA
1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
    A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to
    overcome an actual or provisional rejection based on a nonstatutory double patenting ground
    provided the conflicting application or patent is shown to be commonly owned with this
    application. See 37 CFR 1.130(b).

        Effective January 1, 1994, a registered attorney or agent of record may sign a terminal
disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37
CFR 3.73(b).

8.   Claims 1-42 are provisionally rejected under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over claims 1-59 of copending

application serial no: 10/812854. Although the conflicting claims are not identical, they are not

patentably distinct from each other because both computer systems comprise substantially the

same elements. The differences between claims 11, 36, 55, 58-59 of the application and this case

is bypassing entry of at least one conference pass code by given conferee since it was well

known at the time of the invention to improve the efficiency, interactivity and flexibility of

conference system.

Claim Objections

9.   Claim 1 is objected to because of the following informalities: There is a type error on the

phase "unique to". Appropriate correction is required to change from the "unique to" to

"unique".

Claim Rejections – 35 USC § 112

10.   Claim1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the

written description requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed invention.

11.   As to claim 1, the limitation identifier from the data stores matches the at least one access

information from the data store was not described in the specification. The specification

mentions the at least one access information is sent from the conferee (specification page 3, lines

8-14, page 15, lines 5-15).

Claim Rejections - 35 USC § 103

        The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set
forth in this Office action:
        (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

12.   Claims **1-6, 8-42** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shalit

(US 2002 /0122391 A1) in views of Peon et al (US. Patent 7,133665 B1) and further in view of

Slaughter (US 5598536 A).

13.   **As to claim 1,** Shalit teaches the invention substantially as claimed including: one

request(request, para[0028], ln 1-5/ para[0093], ln 1-5/ right col 7, ln 17-20), the given conferee(

a user, para[0028], ln 1-5/ a one-line text messaging service, right col 7, ln 17-20),

receiving at least one request from the given conferee (para[0028], ln 1-5/ para[0093], ln 1-5/

right col 7, ln 17-20), to enroll in conferencing services(right col 7, ln 17-20); receiving data

representing at least one identifier relating to the given conferee(a telephone number,

para[0028], ln 4-9/the caller dials the long distance number to reach a conference, para[0096], ln

1-4); data representing access information(numeric access codes, para[0028], ln 1-7/ para[0056],

ln 1-5/ right col 7, ln 17-20), providing data representing access information to the given

conferee(para[0028], ln 1-7/ para[0056], ln 1-5/ right col 7, ln 17-20), wherein the given conferee

can request access to a given conference call using the access information(right col 7, ln 17-25),

and configuring at least one component of a system related to supporting the at least one

given conference call to connect the given conferee directly to the given conference call (An

alternate interface allows all participants to receive calling instructions directly with support

from the hosting instant messenger, chat, collaboration client. Each buddy number can be used

for one call. To make additional calls, users must provide another conference, para[0113], ln 4-

9), in response to recognition of at least one of the access information and the at least one unique

identifier in at   number using a standard or VoIP telephone and to enter the access code given to

them. The call is received at the conferencing platform from at least two of the selected users.

The conferencing platform matches the access codes entered by the at least two users, and places

them into a conference call. As a result of this system, the selected users can communicate orally

over the telephone network, para [0028], ln 4-11).

14.   Shalit does not teach unique identifier. However, Peon teaches unique identifier (Each

telecommunications service requires a unique telephone number. Examples of

telecommunications services that require a unique telephone number are automatic routing

services, voicemail services, paging services, cellular phone services, and conference call

service, col 2, ln 15-20).

15.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to modify the teaching of Shalit with Peon to incorporate the feature of unique

identifier because this provides an easy way access to variety of advances features with reside in

a telephone network.

16.   Shalit and Peon do not teach unique identifier is a location from which the given conferee

can initiate communications to access conferencing services, providing data stores populated

with at least one access information data stores populated with at least one access information

data unique and necessary to admit the conferee to error in the conferencing service, populating

the data stores with at least one unique identifier distinctive to the conferee, at least one unique

identifier in the data stores. Extracting the at least one identifier from the data stores, wherein if

the at least one identifier from the data stores matches the at least one access information from

the data stores, the conferee is able to error in the conferencing services. However, Slaughter

teaches the at least one unique identifier is a location from which the given conferee can initiate

communications to access conferencing services (After the remote access server 16 determines a

unique IP address based on the user ID string 20 by referring to the database 30, the server 16

sends the unique IP address to the remote computer 12 via, for example, the modems 24, 26 and

the telephone lines 22. The remote computer 12 gains access to the network 14 through the

remote access server 16 and uses the IP address to communicate with, and utilize the services

and resources available on, the network 14, col 4, ln 11-18/ col 8, ln 5-26/ The database 30

[storage]includes a unique user ID string for each remote user and a unique IP address for each

user ID string, col 4, ln 1-5/ receiving from the communication port a user identification string

which was entered by the remote user at the remote computer and which uniquely identifies the

remote user, using the user identification string to access a database and retrieve a unique IP

address associated with the user identification string, the database including a unique user

identification string for each remote user and a unique IP address for each user identification

string such that the same unique IP address is retrieved every time a particular remote user enters

the user identification string uniquely identifying that remote user, sending the IP address to the

remote computer via the communication port, and allowing the remote computer to access the

computer network through the server and to communicate on the computer network using the IP

address, col 9, ln 20-30 to col 10, ln 1-3/ The remote access server then uses the received user

ID string to perform a look-up in the database of user ID strings and IP addresses (step 59). The

remote access server retrieves from the database the unique IP address associated with the user

ID string, if any (step 60). The remote access server then sends the retrieved unique IP address to

the remote computer via the communication port and the telephone lines (step 62). The remote

access server then allows the remote computer to access the local computer network and to

communicate on the network using the unique IP address (step 64), col 6, ln 55-65).

17.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to modify the teaching of Shalit and Peon with Slaughter to incorporate the feature of

unique identifier is a location from which the given conferee can initiate communications to

access conferencing services, the at least one identifier from the data stores matches the at least

one access information from the data stores, the conferee is able to error in the conferencing

services because this allows one or more remote computers to access simultaneously a local

computer network, even if each of the remote computers employs a different protocol.

18.   **As to claim 2,** Shalit teaches receiving at least one request from the given conferee

includes receiving a request from a host to enroll in conferencing services (para [0093], ln 1-6).

19.   **As to claim 3,** Shalit teaches receiving at least one request from the given conferee

includes receiving a request from a participant associated with a given enrolled conference call

host Para [0015], ln 1-7).

20.   **As to claim 4,** Peon teaches receiving data representing at least one unique identifier

includes obtaining data representing at least one voice print of the conferee (col 5, ln 15-25).

21.   **As to claim 5,** Shalit teaches receiving data representing at least one unique identifier

includes obtaining data representing at least one voice print of the conferee when the conferee

enrolls to receive conferencing services (para [0028], ln 1-8).

22.   **As to claim 6,** Peon teaches receiving data representing at least one unique identifier

includes obtaining data representing at least one of an e-mail address, a Universal Resource

25 Locator, a browser cookie, an IP address, and an SIP address (col 1, ln 64-67).

23.   **As to claim 8,** it is an apparatus claim of claim 1; therefore, it is rejected for the same
reason as claim 1 above.

24.   **As to claim 9,** Peon teaches receiving data representing the at least one unique
identifier associated to at least one device from which the given conference call host may
originate at least one request to access the given conference call(col 3, ln 23-30).

25.   **As to claim 10,** Shalit teaches receiving data includes receiving a unique telephone
number to be dialed by the given conference call host (para [0096], ln 1-7).

26.   **As to claim 11,** Shalit teaches wherein receiving data includes receiving data representing
the unique identifier from the given conference call host (para [0096], ln 1-7).

27.   **As to claim 12,** Peon teaches receiving data representing the unique identifier from a
device associated with the given conference call host (col 3, ln 23-30).

28.   **As to claim 13,** Shalit teaches providing data includes providing at least one telephone 25
numbers to the given conference call (para [0096], ln 1-7).

29.   **As to claim 14,** Shalit teaches configuring at least one component includes configuring
the component to connect the given conference call host directly to the given conference call in
response to recognition of the access information and the at least one unique
identifier(para[0113], ln 4-9/ para[0028], ln 4-11).

30.   **As to claim 15,** Shalit teaches receiving at least one request includes receiving at least
one request from the given conference call host to subscribe to pre-paid conferencing services
(para [0056], ln 1-5).

31.   **As to claim 16,** Peon teaches receiving at least one request includes receiving at least one

32.   **As to claim 17**, Peon teaches receiving data representing at least one unique identifier
includes automatically capturing the data representing the at least one identifier during the
communication (col 2, ln 17-22).

33.   **As to claim 18**, Peon teaches   automatically capturing the data includes automatically
capturing data identifying a handset from which the communication originated (col 2, ln 17-22).

34.   **As to claim 19**, Shalit teaches the method of claim 18, wherein configuring at least one
component includes populating at least part of a data store with the data identifying the handset
(para [0028], ln 1-10).

35.   **As to claim 20**, Shalit teaches   receiving data representing at least a further unique
identifier being associated with at least a further handset from which the given conference call
host may initiate at least one communication to access conferencing services(para[0028], ln 1-
10).

36.   **As to claim 21**, Shalit teaches   receiving data representing at least one unique identifier
includes receiving data representing a plurality of telephone numbers corresponding to a
plurality of respective handsets from which the given conference call host may initiate at least
one communication to access conferencing services(para[0096], ln 1-20).

37.   **As to claim 22**, Peone teaches wired handset from which the given conference call hosts
may initiate at least one communication to access conferencing services (col 2, ln 15-30).

38.   **As to claim 23**, Peone teaches   receiving data representing at least one identifier includes
receiving data representing at least one telephone number associated with a wireless handset

from which the given conference call host may initiate at least one communication to access

conferencing services(col 2, ln 15-20).

39.   **As to claim 24,** Shalit teaches providing to the given conference call host data

representing at least a further telephone number, wherein the given conference call host can

access conferencing services to a given conference call by dialing at least the further telephone

number(para[0096], ln 1-10).

40.   **As to claim 25,** Shalit teaches data representing at least one telephone number includes

providing data representing a telephone number dedicated to only the given conference call host(

para[0096], ln 1-10).

41.   **As to claim 26,** Shalit teaches providing data representing at least one telephone number

includes providing data representing a telephone number shared by a plurality of conference call

hosts (para [0088], ln 1-3).

42.   **As to claims 27, 28,** they are apparatus claims of claims 14, 15; therefore, they are

rejected for the same reasons as claims 14, 15 above.

43.   **As to claim 29,** Peon teaches representing the at least one unique identifier into a data

store (col 10, ln 25-35).

44.   **As to claim 30,** Peon teaches configuring at least one component includes configuring

at least one voice response unit to connect the given conference call host directly to the given

conference call in response to recognizing the at least one unique identifier in connection with at

least one communication received from the given conference call host (col 10, ln 25-35).

45.   **As to claims 31, 32,** they are apparatus claims of claim 14; therefore, they are rejected

for the same reason as claim 14 above.

46.   **As to claim 33**, Peon teaches supporting at least one server that is adapted to connect the given conference call host directly to the given conference call in response to recognizing the at least one unique identifier in connection with at least one communication received from the given conference call host(col 7, ln 42-50).

47.   **As to claims 34, 35, 36** they are apparatus claims of claim 14; therefore, it is rejected for the same reason as claim 14 above.

48.   **As to claim 37**, Peon teaches configuring at least one component includes configuring 20 the at least one component to connect the given conference call host directly to the given conference call without any further input from the given conference call host(col 12, ln 40-49).

49.   **As to claim 38,** Peon teaches configuring at least one component includes configuring the at least one component to connect the given conference call host directly to the given conference call without entry of any further data by the given conference call host(col 12, ln 40-49).

50.   **As to claim 39,** Peon teaches configuring at least one component includes configuring the at least one component to connect the given conference call host directly to the given conference call without entry of any further data by the given conference call host, besides dialing a telephone number to access conferencing services(col 12, ln 40-49).

51.   **As to claim 40,** Peon teaches wherein configuring at least one component includes configuring the at least one component to connect the given conference call host directly to the given conference call by bypassing entry of at least one conference pass code by the given conference call host(col 7, ln 20-28).

52.   **As to claims 41, 42,** they are apparatus claims of claim 1; therefore, they are rejected for

the same reason as claim 1 above.

53.   Claim 7 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Shalit (US 2002

/0122391 A1) in views of Peon et al (US. Patent 7,133665 B1) in view of Slaughter (US

5598536 A), as applied to claim 1 above, and further in view of Bieselin (US 5559875).

54.   **As to claim 7,** Shalit, Peon and Slaughter do not teach biometric parameter associated

with the conferee. However, Bieselin teaches biometric parameter associated with the conferee

(speech processing which uses a conference participant's voice print to identify the conference

participant speaking may be employed, col 7, and ln 15-22).

55.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to modify the teaching of Shalit, Peon and Slaughter with Bieselin to incorporate the

feature of teach biometric parameter associated with the conferee because this provides the

additional information, for example, the spoken names of the conference participants, to the user.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The

examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/LeChi Truong/

Examiner, Art Unit 2194

LeChi Truong

October 28, 2008